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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Mr. Bengoa, Mr. Bossuyt, Mrs. Daes, Mr. Guissé, Mrs. Gwanmesia, Mr. Joinet, Mr. Maxim, Mr. Ramadhane, Mrs. Warzazi and Mr. Yimer: draft resolution

Situation in Rwanda

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Deeply concerned at the extent and seriousness of the genocide resulting from the massacres of the Tutsis, the political assassinations of the Hutus and the various attacks on human rights in Rwanda,

Conscious that this tragedy is the outcome of policies of discrimination which have divided the people of Rwanda and brought great suffering,

Conscious also of the pernicious role played, both in the past and at the present time, by certain States, groups or individuals in the tragedy of Rwanda,

Convinced of the urgent need to take all requisite steps to put an end to this situation,

1. Demands an immediate end to the massacres and sufferings imposed on the people of Rwanda with the complicity of certain States, by proceeding more particularly to rapid and complete disarmament of the militias and extremist elements of the former Rwandese forces which are guilty of these massacres;

2. Deplores the fact that the tardy and insufficiently effective intervention of the international community, including the United Nations and its various organs, as well as the Organization of African Unity, did not, when it was still possible, make it possible to prevent the genocide, yet takes note of the humanitarian efforts made, notably within the United Nations system;

3. Calls for all measures to be taken to encourage the voluntary return, in complete security, to their homes and lands, of all the Rwandese refugees;

4. Hopes that the epidemics, including cholera and dysentery, decimating the people of Rwanda will be contained, with a view to their eradication by all possible means;

5. Calls for Rwanda and its people, with the collaboration of the Organization of African Unity, to be given all the help and assistance needed for the establishment of a State governed by the rule of law and for the reconstruction of the country, in conformity with the decisions and the interests of the people of Rwanda;

6. Reminds all States, whether neighbours of Rwanda or others, and the mass media, particularly the radio stations, of their obligation to maintain strict and objective neutrality towards the conflict and to put an immediate end to all propaganda and incitement to ethnic and racial hatred;

7. Calls for action to investigate, identify and establish the responsibilities, both national and international, of the individuals implicated in the war crimes, crimes against humanity and genocide in the tragedy of Rwanda, for the purpose of punishing those responsible and guaranteeing the victims or their heirs fair and equitable compensation in accordance with the principles of international law;

8. Calls for the adoption of appropriate measures by States which have granted asylum or other refuge to the individuals implicated in the massacres, so that they do not escape justice;

9. Stresses the importance of establishing an international criminal court in order to try the persons responsible for these crimes;

10. Calls the attention of the expert commission set up by the Secretary-General of the United Nations to the need to inquire into the events which have led to the present situation, including the assassination of the Prime Minister and of Rwandese ministers and dignitaries, as well as of the 10 United Nations soldiers assigned to protect the Prime Minister, and to identify the Rwandese and foreign individuals implicated in the arms traffic or other illicit traffic or in the broadcasting of racist propaganda which rendered possible the crime of genocide and the political assassinations, and to engage as a priority in identifying and finding evidence and establishing the responsibility of the proprietors, management and personnel of the media, especially "Radio Mille Collines", which continue to play a crucial role, by the manipulation of information, in the perpetration and spread of the atrocities;

11. Expresses the hope that effective follow-up will be ensured, in the context of existing United Nations machinery, to the report of the Special Rapporteur on the situation of human rights in Rwanda, which gives an account of the political assassinations and genocide that have taken place in Rwanda.